

REMARKS/ARGUMENTS

In the Office Action mailed February 25, 2005, claims 5, 6, 11, 12, and 17-20 were withdrawn. Claims 1-4, 7-10 and 13-16 were rejected.

New claims 21-32 have been added. Claims 7-10 and 13-16 have been amended to better define the invention. Claims 1-6, 11, 12 and 17-20 have been canceled without prejudice or disclaimer. Support for the amendments is found in the specification, and no new matter is added. As such, claims 7-10, 13-16 and 21-32 remain pending in the application.

Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references. In view of the following remarks, reconsideration and withdrawal of the outstanding rejections are respectfully requested.

CLAIM REJECTIONS – 35 U.S.C. § 112 second paragraph

Claims 3, 4, 15 and 16 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. There was no antecedent basis for the term "the core" in claims 3 and 15. Applicant has amended these claims to correct the antecedent basis. Therefore, Applicant respectfully requests that the rejection of claims 3, 4, 15, and 16 under 35 U.S.C. 112, second paragraph, be removed.

CLAIM REJECTIONS – 35 U.S.C. § 103(a)

I. Claims 7-10 and 13-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Application Publication No. US 2004/0074208 to Olson et al. (hereinafter referred to as “Olson”). Applicant respectfully traverses these rejections. In light of the following remarks, Applicant respectfully submits that these claims are allowable.

The Examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. *MPEP* §2142. To establish a prima facie case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, to modify the references or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art must teach all the claim limitations. *MPEP* §2142.

II. With respect to claims 7-10, Olson does not teach or suggest a combination recited by Applicant's claims. For example, Applicant's independent claim 7 recites a “vacuum insulated panel, comprising: a first core having...a first core indentation provided on at least one side...and a first film envelope enclosing the first core and having a first film perimeter including a first film indentation region corresponding to the first core indentation, wherein the first core indentation is configured to provide a partial periphery of a combined passageway extending through the panel in combination with at least one non-attached second core providing an additional segment of the periphery.”

Similarly, Applicant's independent claim 9 recites “first supporting means having...a first supporting indentation provided on at least one side...; first means for enclosing the first supporting means [and] having a first enclosing perimeter including a first enclosing indentation region corresponding to the first supporting indentation; and first means for sealing the first

enclosing means around the first supporting means, wherein the first supporting indentation is configured to provide a partial periphery of a combined passageway extending through the panel in combination with at least one non-attached second supporting means providing an additional segment of the periphery.”

Olson discloses a vacuum insulation panel that has a core of insulation material enclosed in a receptacle (*see* Olson, para. 26-27 and 39). Olson further discloses a substantially centrally located aperture in the substance of the core, which “may be formed as a single sheet or board of insulation material with the described aperture, or may be formed...as two similarly sized sheets....” (*See* Olson, para. 40-41.) However, even in the case that two core sheets are used, Olson encloses both sheets in a single receptacle.

Thus, Olson does not disclose multiple insulation cores separately enclosed in multiple individual film envelopes, wherein each of the cores has an indentation region configured to form only part of an aperture and each of the multiple film envelopes conforms to the partial aperture periphery of each of the corresponding individual cores. In particular, Olson fails to disclose a film envelope enclosing only one of multiple cores with indentations that can be aligned to form a single aperture.

Additionally, Olson fails to disclose a receptacle with an indentation region on its perimeter. Furthermore, Olson fails to disclose a receptacle with an indentation region that is configured to form only part of an aperture. Moreover, Olson fails to disclose a core that is configured to form a passageway in combination with a non-attached adjacent core—or, more specifically, with an adjacent core that is not enclosed in the same receptacle as the first core.

Therefore, Olson does not disclose “a first core [or supporting means] having...a first core [or supporting] indentation provided on at least one side...and a first film envelope [or enclosing means] enclosing the first core [or supporting means] and having a first film [or enclosing] perimeter including a first film [or enclosing] indentation region corresponding to the first core [or supporting] indentation, wherein the first core [or supporting] indentation is configured to provide a partial periphery of a combined passageway extending through the panel in combination with at least one non-attached second core [or supporting means] providing an additional segment of the periphery,” as recited by Applicant’s claims.

Thus, Olson does not teach or suggest every aspect of Applicant’s independent claim 7 and its dependent claim 8, or independent claim 9 and its dependent claim 10, because Olson does not include each and every element, as set forth in Applicant’s claims. Accordingly, at least for these reasons, Applicant respectfully requests that the rejections under Section 103 as being unpatentable over Olson be removed with respect to claims 7-10.

III. With respect to claims 13-16, Applicant’s independent claim 13 recites “a first core having...a first core beveled corner; and a first film envelope enclosing the first core and having a first film perimeter with a first film beveled region corresponding to the first core beveled corner, wherein the first core beveled corner is configured to provide a partial periphery of a combined passageway extending through the panel in combination with at least one non-attached second core providing an additional segment of the periphery.”

Similarly, Applicant’s independent claim 15 recites “first supporting means having...a first supporting beveled corner; and first means for enclosing the first supporting means [and] having a first enclosing perimeter including a first enclosing beveled region corresponding to the

first supporting beveled corner, wherein the first supporting beveled corner is configured to provide a partial periphery of a combined passageway extending through the panel in combination with at least one second supporting means providing an additional segment of the periphery.”

As explained above, Olson discloses a vacuum insulation panel including a one- or two-piece core of insulation material, with a substantially centrally located aperture, enclosed in a single receptacle. However, Olson does not disclose multiple insulation cores separately enclosed in multiple individual film envelopes, wherein each of the cores has a beveled corner configured to form only part of an aperture and each of the multiple film envelopes has a beveled region corresponding to beveled corner of each of the corresponding individual cores. In particular, Olson fails to disclose a film envelope enclosing only one of multiple cores with indentations that can be aligned to form a single aperture.

Additionally, Olson fails to disclose a receptacle with a beveled region on its perimeter. Furthermore, Olson fails to disclose a receptacle with a beveled region that is configured to form only part of an aperture. Moreover, Olson fails to disclose a core that is configured to form a passageway in combination with a non-attached adjacent core—or, more specifically, with an adjacent core that is not enclosed in the same receptacle as the first core.

Therefore, Olson does not disclose “a first core [or supporting means] having...a first core [or supporting] beveled corner; and a first film envelope [or enclosing means] enclosing the first core and having a first film [or enclosing] perimeter with a first film [or enclosing] beveled region corresponding to the first core [or supporting] beveled corner, wherein the first core [or supporting] beveled corner is configured to provide a partial periphery of a combined

passageway extending through the panel in combination with at least one non-attached second core [or supporting means] providing an additional segment of the periphery,” as recited by Applicant’s claims.

Thus, Olson does not teach or suggest every aspect of Applicant’s independent claim 13 and its dependent claim 14, or independent claim 15 and its dependent claim 16, because Olson does not include each and every element, as set forth in Applicant’s claims. Accordingly, at least for these reasons, Applicant respectfully requests that the rejections under Section 103 as being unpatentable over Olson be removed with respect to claims 13-16.

IV. Applicant’s claims 21 and 27-30 depend from independent claim 7, which is believed to be patentable over Olson at least for the reasons described above, and thus is believed to be in condition for allowance. Therefore, claims 21 and 27-30 are patentable over Olson for at least the same reasons that independent claim 7 is patentable over Olson. Likewise, Applicant’s claim 22 depends from independent claim 9, which is believed to be patentable over Olson at least for the reasons described above, and thus is believed to be in condition for allowance. Therefore, claim 22 is patentable over Olson for at least the same reasons that independent claim 9 is patentable over Olson.

Furthermore, Applicant’s claims 23 and 24 depend from independent claim 13, which is believed to be patentable over Olson at least for the reasons described above, and thus is believed to be in condition for allowance. Therefore, claims 23 and 24 are patentable over Olson for at least the same reasons that independent claim 13 is patentable over Olson. Similarly, Applicant’s claims 25 and 26 depend from independent claim 15, which is believed to be patentable over Olson at least for the reasons described above, and thus is believed to be in

condition for allowance. Therefore, claims 25 and 26 are patentable over Olson for at least the same reasons that independent claim 15 is patentable over Olson.

V. Finally, Applicant's independent claim 31 and its dependent claim 32 recite a "vacuum insulated panel, comprising: first supporting means having...a first supporting beveled area forming one corner as a first supporting beveled corner, wherein the first supporting beveled area along with a non-attached adjacent supporting means is configured to create a passageway; and first means for enclosing the first supporting means, the first means for enclosing having a first enclosing perimeter including a first enclosing beveled region corresponding to the first supporting beveled corner."

Olson does not disclose this combination. In particular, Olson does not disclose multiple supporting means separately enclosed in multiple individual enclosing means, wherein each of the supporting means has a beveled corner configured to form only part of an aperture and each of the multiple enclosing means has a beveled region corresponding to beveled corner of each of the corresponding individual supporting means. In particular, Olson fails to disclose enclosing means that encloses only one of multiple supporting means with indentations that can be aligned to form a single aperture.

Additionally, Olson fails to disclose enclosing means with a beveled region on its perimeter. Furthermore, Olson fails to disclose enclosing means with a beveled region that is configured to form only part of an aperture. Moreover, Olson fails to disclose supporting means configured to form a passageway in combination with non-attached adjacent supporting means—or, more specifically, with adjacent supporting means that is not enclosed in the same enclosing

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Patent

means as the first supporting means. Therefore, for at least these reasons, Applicant respectfully submits that claims 31 and 32 are patentable over Olson.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests all the objections and rejections to the specification and claims be removed. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 202-861-1567 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 87334.5840.

Respectfully submitted,

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